

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

Summers Manufacturing Company, Inc.,)	Civil Action No. 4:17-cv-00186-RGE-CFB
)	Judge Rebecca G. Ebinger
)	
Plaintiff,)	
)	
v.)	STIPULATED DISMISSAL
)	
Tri-County Ag, LLC,)	
Tri-County Iron, LLC,)	
)	
Defendants.)	

TO THE HONORABLE REBECCA G. EBINGER AND THE CLERK OF THE
COURT:

Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Summers Manufacturing Company, Inc., and Defendants Tri-County Ag, LLC and Tri-County, LLC (collectively, the “Parties”), stipulate as follows:

1. WHEREAS, during settlement negotiations, the Parties reached a binding agreement to settle and dismiss the entirety of the present action in consideration of negotiated terms.

2. WHEREAS, the Parties agree that the U.S. District Court in the Southern District of Iowa shall retain jurisdiction of any action to enforce and/or interpret the terms of the settlement agreement, including, with her approval, the Hon. Rebecca G. Ebinger.

3. NOW, THEREFORE, the Parties, by and through their respective counsel,

hereby stipulate and agree to the dismissal of this action with prejudice, including all claims and counterclaims stated herein against any and all parties, with each party bearing its own attorney's fees and costs.

Date: January 23, 2018

/s/ Edward K. Runyan

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